

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF MONTANA

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
DBA THE MONTANA CLUB OF HELENA SINCE 1885
DBA THE MONTANA CLUB
DBA RATHSKELLER
DBA THE ORIGINAL MONTANA CLUB

3. Debtor's federal Employer Identification Number (EIN) 82-5473314

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

24 WEST SIXTH AVENUE
HELENA, MT 59601

Number, Street, City, State & ZIP Code

LEWIS AND CLARK
County

P.O. BOX 637
HELENA, MT 59624

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

24 WEST SIXTH AVENUE HELENA, MT 59601
Number, Street, City, State & ZIP Code

5. Debtor's website (URL) https://montanaclub.coop/

6. Type of debtor
☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☒ Other. Specify: COOPERATIVE ASSOCIATION

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check **all** that apply:

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor		Relationship	
District	When	Case number, if known	

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$1,000,001 - \$10 million

☐ \$500,000,001 - \$1 billion

Debtor

THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION

Name

Case number (if known)

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **THE ORIGINAL MONTANA CLUB COOPERATIVE ASSOCIATION**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **October 31, 2023**
MM / DD / YYYY

X /s/ CHARLES ROBISON
Signature of authorized representative of debtor

Title **PRESIDENT**

CHARLES ROBISON
Printed name

18. Signature of attorney

X /s/ JAMES A. PATTEN
Signature of attorney for debtor

Date **October 31, 2023**
MM / DD / YYYY

JAMES A. PATTEN 1191
Printed name

PATTEN PETERMAN BEKKEDAHL
Firm name

& GREEN
2817 2ND AVENUE N, ST 300
BILLINGS, MT 59101
Number, Street, City, State & ZIP Code

Contact phone **406-252-8500** Email address **apatten@ppbglaw.com**

1191 MT
Bar number and State

AREI
5620 ALABAMA DR.
HELENA MT 59602

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
P.O. BOX 9941, STOP 6552
OGDEN UT 84409-0941

CB1 COLLECTIONS
3318 3RD AVENUE N.
STE. 100
BILLINGS MT 59101

BRUCE SPENCER
P.O. BOX 726
HELENA MT 59624

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA PA 19101-7346

CHRISTENSEN & PREZEAU
24 W 6TH AVE STE 501
HELENA MT 59601

DUANE MCPHERSON
4515 W US HIGHWAY 12
HELENA MT 59601

MONTANA DEPT OF REVENUE
BANKRUPTCY SPECIALIST
PO BOX 7701
HELENA MT 59604-7701

CLOVER
415 N. MATHILDA AVENUE
SUNNYVALE CA 94085

FIRST INTERSTATE BANK
HELENA GULCH
25 E LYNDAL
P.O. BOX 6013
HELENA MT 59604

ADP
1 ADP BOULEVARD
ROSELAND NJ 07068

CRAVENS COFFEE
2935 STOCKYARD RD
MISSOULA MT 59808

LEWIS & CLARK COUNTY TREASURER
316 N PARK AVE
ROOM #113
HELENA MT 59623

1000 BLAINE ST
HELENA MT 59601

CREDIT ASSOCIATES, INC.
PO BOX 6099
GREAT FALLS MT 59406

MONTANA BUSINESS ASSISTANCE
CONNECTION, INC.
225 CRUSE AVENUE, SUITE D
HELENA MT 59601

AMERICAN SHEET METAL
CHRIS NICHOLS
1526 HAUSER BLVD
HELENA MT 59601

CROWLEY FLECK
900 N LAST CHANCE GULCH
#200
HELENA MT 59601

MONTANA CLUB BUILDING
CONDOMINIUM OWNERS ASSOCIATION
P.O. BOX 1164
HELENA MT 59624

ASCAP
250 W 57TH STREET
NEW YORK NY 10107

DUANE MCPHERSON
4525 W US HWY 12
HELENA MT 59601

WAYNE BOECK
815 MONROE AVENUE
HELENA MT 59601

BLOCK, INC.
SQUARE CAPITAL LLC
354 OYSTER POINT BOULEVARD
SOUTH SAN FRANCISCO CA 94080

ECOLAB INC.
1 ECOLAB PLACE
SAINT PAUL MN 55102

ALEXIS DICKERSON-WARBURTON
P.O. BOX 120
EAST HELENA MT 59635

BMI
C/O NATIONWIDE CREDIT INC.
P.O. BOX 15130
WILMINGTON DE 19850-5130

ECOMONTANA
6555 TAWNY BROWN DR
BOZEMAN MT 59718

ESTATE OF RUSSELL A. CARGO
C/O SARAH BRYANT CARGO
1012 HUNTERS WAY
BOZEMAN MT 59718

JONATHAN'S DISTRIBUTING
2304 DODGE AVE
HELENA MT 59601

ROCKY MOUNTAIN CREDIT
3400 N MONTANA AVE
HELENA MT 59602

FIRSTDATA MERCHANT SOLUTIONS
2900 WESTSIDE PARKWAY
ALPHARETTA GA 30004

KIRA THOMAS
2988 KINGS DOMINION CT
HENDERSON NV 89052

RYAN CLARK
7145 US HWY 10 W#8702
MISSOULA MT 59808

FISHER'S TECHNOLOGY
ALYSSA WOOD
572 EAST 42ND STREET
GARDEN CITY ID 83714

MATT VOLZ
813 GILBERT STREET
HELENA MT 59601

SERVE PRO OF HELENA & GREAT FALLS
479 LINCOLN RD. W
HELENA MT 59602-8789

GOODRICH & REELY PLLC
2315 MCDONALD AVE
STE 200
MISSOULA MT 59801

MIKE & LAURA SULLIVAN
259 ANDERSON BLVD
HELENA MT 59601

SESAC
P.O. BOX 5246
NEW YORK NY 10008

GREAT AMERICA FINANCIAL SERVICES
625 1ST ST SE
STE 800
CEDAR RAPIDS IA 52401

MIKE & PATRICIA COTTER
1194 DAYBREAK STREET
HELENA MT 59601

SOUNDTRACK
800 5TH AVENUE NORTH
SUITE 4100
SEATTLE WA 98109

GRIME FIGHTERS
432 13TH STREET WEST
COLUMBIA FALLS MT 59912

MORRISON LAW FIRM
111 N LAST CHANCE GULCH
STE 3B
HELENA MT 59601

SOUTH HILLS DENTAL
MATT TENYENHUIS
2480 TRACY DRIVE
HELENA MT 59601

INTEGRITY ELECTRICAL CONTRACTORS
3101 BOZEMAN AVE
HELENA MT 59601

SMRG FINANCIAL SERVICES PLLC
PO BOX 883
FAIRFIELD MT 59436

SUSAN SPRINGER BUTLER
3360 VINCE'S COURT
HELENA MT 59602-6470

INTUIT INC
2632 MARINE WAY
MOUNTAIN VIEW CA 94043

OPENTABLE
P.O. BOX 101861
PASADENA CA 91189-1861

THE ROCKET SCIENCE GROUP LLC
DBA MAILCHIMP
675 PONCE DE LEON AVENUE N
SUITE 5000
ATLANTA GA 30308

JAMES BRIEN
P.O. BOX 2343
RED LODGE MT 59068

PETER WOLF
1085 GUTHRIE RD.
HELENA MT 59602

TREASURE STATE INTERNET & TELECOM
7 W 6TH AVE
HELENA MT 59601

TRI-COUNTY MECHANICAL & ELECTRICAL
PO BOX 5928
HELENA MT 59604

UDA LAW FIRM
ASHLEY CHAMBERS
3130 SADDLE DRIVE #5
HELENA MT 59601

US BANK - HELENA
302 N LAST CHANCE GULCH
HELENA MT 59601

BURT W. WARD
JACKSON, MURDO & GRANT, P.C.
203 NORTH EWING STREET
HELENA MT 59601

PETER WOLF
1085 GUTHRIE ROAD
HELENA MT 59602



The Original Montana Club Cooperative Association

Shareholders' Meeting: August 22, 2023

- Call to Order: President Charles Robison called the meeting to order at 6:05 PM. Quorum was present.
- Announcements and Introductions:
 - All board members present introduced themselves and described their current roles.
 - Mr. Robison announced that the Montana Club will be holding a Dinner en Blanc event on September 10, 2023 and encouraged shareholders to purchase tickets in advance.
- Meeting Minutes: Minutes from the April 25, 2023 meeting were distributed to the Shareholders. MOTION: Kathleen Dreyer moved to approve the previous meeting's minutes, seconded by Judith Meadows and carried without dissent.
- Litigation Report and Discussion:
 - Mr. Robison gave a brief history on the factual background leading to the lawsuit and the status of the litigation. Mr. Ramon Mercado, Board Secretary and counsel of record for the Montana Club, gave a report on the current deadlines on the pending Motion for Summary Judgment.
 - Mr. Robison distributed information to the shareholders outlining possible options regarding the current debt and the lawsuit. The information distributed included possible outcomes and scenarios and discussed each example's advantages and disadvantages. A copy of the document is attached to today's minutes for reference.
 - Following Mr. Robison's explanation of the options, he opened the floor for discussion. Shareholders discussed the advantages and disadvantages of each option, and asked the board clarifying questions regarding costs, prospective buyers, and timeline.
- Proposed Resolution 2023.02: Following the discussion on the 5 options presented, Mr. Robison presented a resolution for the shareholders to authorize the board to file a bankruptcy action. Mr. Lee Shubert suggested the resolution to read that the Club would file under Chapter 11, Subchapter 5. After discussion, the shareholders unanimously approved the resolution reading as follows:
 - **Resolution 2023.02:**

The Shareholders of the Original Montana Club Cooperative Association authorize the Board of Directors to file a bankruptcy action, Chapter 11, Subchapter 5, on behalf of the OMCCA and to take all necessary actions to negotiate, settle, pay and otherwise address claims by creditors or others against the OMCCA.
 - MOTION: Jason Kreth moved to approve Resolution 2023.02, seconded by Regina Mercado and carried without dissent.
- Adjournment: Meeting adjourned at 7:20 PM

Submitted by Charles Robison, President

Approved on 